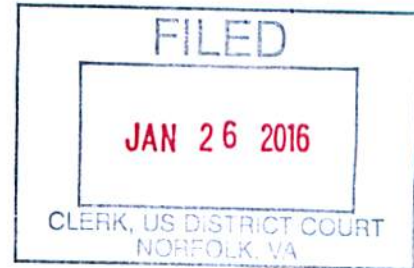


UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division



BRANDON PIPER,

Petitioner,

v.

ERIC D. WILSON, Warden,

Respondent.

Case No.: 2:15-cv-154

FINAL ORDER

Before the Court is a Petition for Writ of *Habeas Corpus* filed pursuant to 28 U.S.C. § 2241. ECF No. 1. In his Petition, the *pro se* Petitioner claimed that the Bureau of Prisons failed to properly credit him for the 823 days he served on home confinement on pretrial release while awaiting trial.

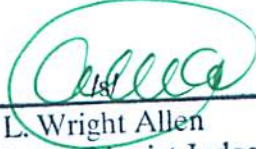
On June 15, 2015, Respondent filed a Motion to Dismiss the Petition. ECF No. 4. Petitioner filed a response on July 1, 2015. ECF No. 6. This case was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and (C), Federal Rule of Civil Procedure 72(b), and Local Civil Rule 72 for a report and recommendation. In the Report and Recommendation filed on October 30, 2015, the Magistrate Judge recommended that the Petition be dismissed. ECF No. 8. By receiving a copy of the Report and Recommendation, the parties were advised of their right to file written objections to the Magistrate Judge's findings and recommendations. On November 30, 2015, the Court received Petitioner's objections, after the

deadline for filing objections expired. ECF No. 9. On December 3, 2015, the Court received the Respondent's response to Petitioner's objections. ECF No. 10.

The Court, having reviewed the record and examined the untimely objections filed by Petitioner to the Report and Recommendation and Respondent's response, and having made *de novo* findings with respect to the portions objected to, the Court agrees with the Report and Recommendation on the grounds stated by the Magistrate Judge and **ADOPTS** and **APPROVES** the Magistrate Judge's Report and Recommendation filed on October 30, 2015, ECF No. 8, in its entirety as the Court's own opinion. It is **ORDERED** that the Petition, ECF No. 1, is **DENIED** and **DISMISSED** and **FURTHER ORDERED** that Judgment be entered in favor of Respondent.

Petitioner may appeal from the Judgment entered pursuant to this Final Order by filing a written notice of appeal with the Clerk of the Court at the Walter E. Hoffman United States Courthouse, 600 Granby Street, Norfolk, Virginia 23510, within sixty days from the date of entry of judgment. Because Petitioner has failed to demonstrate "a substantial showing of the denial of a constitutional right," 28 U.S.C. § 2253(c)(2), pursuant to Federal Rule of Appellate Procedure 22(b), the Court declines to issue a certificate of appealability. *See Miller-El v. Cockrell*, 537 U.S. 322, 335-36 (2003). The Clerk is **DIRECTED** to forward a copy of this Order to Petitioner and counsel of record for Respondent.

It is so **ORDERED**.



Arenda L. Wright Allen
United States District Judge

Arenda Wright Allen
United States District Judge

Norfolk, Virginia

Date: *Jan 26, 2016*